

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION**

STATE OF TEXAS, *et al.*,

Plaintiffs,

v.

Case No. 1:18-cv-00068

UNITED STATES OF AMERICA, *et al.*,

Defendants,

and

KARLA PEREZ, *et al.*,

STATE OF NEW JERSEY,

Defendant-Intervenors.

**PLAINTIFF STATES' UNOPPOSED MOTION
TO MODIFY THE SCHEDULING ORDER**

Plaintiff States respectfully request that the Court modify the Scheduling Order (ECF No. 621). All parties to this case are unopposed to this motion and the requested modification will not delay the overall briefing schedule or affect any other party's briefing deadlines.

The Scheduling Order adopted the parties' jointly proposed deadlines. At the time of the joint proposal, the parties were uncertain whether any cross-motions for summary judgment would be filed, and the Scheduling Order provided for a deadline of March 2 for Federal Defendants and the two Defendant-Intervenors (the DACA

recipients and the State of New Jersey) to file their responses to Plaintiff States' motion for summary judgment and to file "any cross-motions for summary judgment." All three of the Defendant parties filed their own responses and cross-motions yesterday. *See* ECF Nos. 636–642. These filings total 135 pages. The Scheduling Order provides a deadline of March 16 for Plaintiff States to file their reply in support of their motion for summary judgment, and a separate deadline of March 30 to respond to the cross-motions.

The current deadlines would lead to repetitive briefing on the same issues, make the briefing less comprehensible, and be a waste of the Court's and the parties' resources. Plaintiff States request the Court to consolidate the two deadlines—for Plaintiff States' reply in support of their motion for summary judgment and response to the three pending cross-motions for summary judgment—to March 30. This would allow Plaintiff States to have a single combined filing and would not upset the April 6 terminal deadline for overall briefing in this case.

A proposed order is attached.

CONCLUSION

Plaintiff States respectfully request that the Court grant their unopposed motion to modify the scheduling order.

Date: March 3, 2023

Respectfully submitted.

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CERTIFICATE OF CONFERENCE

I certify that on March 3, 2023, counsel for Plaintiff States conferred with counsel for the other parties in this case via email.

James Walker, counsel for Defendants United States of America, et al., Nina Perales, counsel for Defendant-Intervenors Karla Perez, et al., and Mayur Saxena, counsel for Defendant-Intervenor State of New Jersey, represented that the parties whom they represent, respectively, do not oppose the relief requested by Plaintiff States.

/s/ Ryan D. Walters
RYAN D. WALTERS

CERTIFICATE OF SERVICE

I certify that a true and accurate copy of the foregoing document was filed and served electronically (via CM/ECF) on March 3, 2023.

/s/ Ryan D. Walters
RYAN D. WALTERS